



411.35629PC2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: H. KOHLER
Application No.: 09/865,281
Filed: May 29, 2001
For: FUSION PROTEINS OF BIOLOGICALLY ACTIVE
PEPTIDES AND ANTIBODIES
Art Unit: 1645
Examiner: P. N. Huynh

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR 1.97 & 1.98

Commissioner For Patents
P.O. Box 1450
Washington, D.C. 20231

August 10, 2005

Pursuant to Applicants' duty of disclosure, enclosed please find
Form PTO/SB08A&B, listing documents to be considered during examination of the
above-identified application.

The listed U.S. Patent documents are cited the International Search Report
for International (PCT) Application No. PCT/US98/19710, filed September 18, 1998,
which is a foreign counterpart application of USPN 6,238,667 which is the parent
patent of this application. The documents cited in this International Search Report
are listed in the attached form equivalent to Form-1449 for the Examiner's
consideration. Copies of the listed U.S. Patent documents are not enclosed
herewith, and copies of the other listed documents are enclosed herewith.

Additionally, enclosed herewith is a copy of the European Search Report in
the related corresponding European Patent Application EP 98 94 9410.9, filed
September 18, 1998, which is a foreign counterpart application of USPN 6,238,667
which is the parent patent of this application. The documents cited in this

International Search Report are listed in the attached form equivalent to Form-1449 for the Examiner's consideration. Copies of the documents cited in the European Search Report are also enclosed.

Each of the documents listed on the attached Form PTO/SB/08A&B is in the English language.

Applicant also submits the following co-pending applications:

WO 99/14244 which is a foreign counterpart application of USPN 6,238,667 which is the parent application of this application. This PCT application was filed on September 18, 1998 and published on March 25, 1999.

EP Application No. 98 949 which is a European Regional Phase entry application corresponding to WO 99/14244 cited above.

WO 02/097041 which is a foreign counterpart of this application.

US Provisional Application 60/407,421 filed on August 30, 2002.

US Application No. 10/652,864 filed on August 29, 2003.

US Application 11/119,404 filed on April 29, 2005.

US Provisional Application 60/451,980 filed on March 5, 2003.

WO 2004/078146 which is a foreign counterpart of US Provisional Application 60/451,980 (cited above) filed on March 5, 2004 and published on September 16, 2004.

US Application No. 10/795,081 filed March 3, 2004 which is a CIP of this application.

It is respectfully requested that this information disclosure statement be considered by the Examiner.

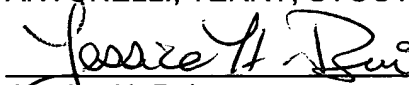
This Information Disclosure Statement is being submitted prior to a first Office Action on the merits in the above-identified application. Clearly, requirements of 37 CFR §1.97(b) are satisfied.

In view of the foregoing, it is respectfully submitted that applicable requirements of 37 CFR §1.97 and §1.98 have been satisfied, in connection with each of the documents listed on the enclosed Form. Accordingly, consideration of the listed documents, upon examination of the above-identified application, is respectfully requested.

Applicants request any shortage or excess in fees in connection with the filing of this paper, including extension of time fees, and for which no other form of payment is offered, be charged or credited to Deposit Account of Antonelli, Terry, Stout & Kraus Deposit Account No. 01-2135 (Case: 411.35629PC2).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in black ink, appearing to read 'Jessica H. Bui', is written over a horizontal line.

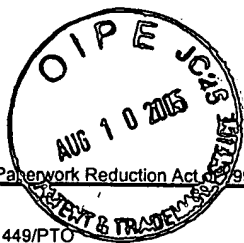
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August 10, 2005

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PTO/SB/08B (04-03)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 3

Complete if Known

Application Number	09/865,281
Filing Date	5/29/2001
First Named Inventor	Heinz KOHLER
Group Art Unit	1644
Examiner Name	Huynh, Phuong N.
Attorney Docket Number	35629PC2

NON PATENT LITERATURE DOCUMENTS

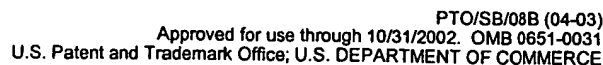
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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet

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3

Application Number

09/865.281

Filing Date

5/29/2001

First Named Inventor

Heinz KOHLER

Group Art Unit

1644

Examiner Name _____

Huynh, Phuong N.

Attorney Docket Number

35629PC2

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